

Remarks

In the Office Action of March 1, 2006, claims 1 through 5 were rejected. More specifically, claim 2 was rejected under 35 U.S.C. § 102(b) and claims 1 and 3-5 were rejected under 35 U.S.C. § 103(a).

In the instant Response, claims 1 and 2 have been amended and new claim 6 has been added. Claims 1-6 are currently pending.

§ 102 Rejections

Claim 2 was rejected under 35 USC 102(b) as being anticipated by U.S. Patent 4,688,026 (“Scribner”). Applicants respectfully disagree.

Claim 2, as amended, is directed to a method comprising, in part, gathering and compiling legacy data and communicating the data structure, including the legacy data, to a mobile survey device. Further, the method comprises “subsequently operating the mobile survey device to survey the equipment assets at the site.”

Scribner fails to teach or suggest the invention of claim 2. More specifically, Scribner fails to teach or suggest legacy data. That is, Scribner fails to teach or suggest gathering and compiling legacy data or communicating the data structure, including the legacy data, to a mobile survey device and subsequently operating the survey device to survey the equipment assets. Instead, Scribner merely discloses mounting identification and location tags “at convenient locations on or adjacent objects desired to be identified” and then providing for those tags to be “read by [a] battery-powered portable unit . . . that can be easily transported or carried by a user.” *See Scribner*, col. 4, ll. 17-55. Nowhere does Scribner teach or suggest communicating a data structure, including legacy data, to mobile survey device and subsequently operating the survey device. Thus, Scribner fails to teach or suggest the invention of claim 2. Reconsideration and withdrawal of the rejection are respectfully requested.

§ 103 Rejections

Claims 3 through 5 were rejected under 35 USC 103(a) as being unpatentable over Scribner in view of U.S. Patent 6,154,738 (“Call”). Further, claim 1 was rejected under 35 USC 103(a) as being unpatentable over Scribner in view of U.S. Patent 6,298,333 (“Manzi”). Applicants respectfully disagree.

Claims 3-5 Are Not Unpatentable Over Scribner in View of Call

Claims 3-5 depend from claim 2. Claim 2, as described above, is directed to gathering and compiling legacy data, communicating the data structure, including the legacy data, to a mobile survey device, and subsequently operating the mobile survey device to survey the equipment assets at the site.

As discussed above, Scribner fails to teach or suggest the invention of claim 2. That is, Scribner fails to teach or suggest gathering and compiling legacy data or communicating the data structure, including the legacy data, to a mobile survey device and subsequently operating the survey device to survey the equipment assets. Thus, Scribner fails to teach or suggest the invention of claim 2.

Call fails to remedy the deficiencies of Scribner. That is, Call fails to teach or suggest gathering and compiling legacy data or communicating the data structure, including the legacy data, to a mobile survey device and subsequently operating the survey device to survey the equipment assets. Instead, Call simply provides a product code translator that “is accessed via the Internet to perform a translation of specified universal product codes into the corresponding Internet addresses from which information about the designated products can be obtained.” *See Call*, col. 4, ll. 23-30. That is, the invention “enables the retrieval of information about products from the source of those products.” *Id.* at col. 4, ll. 15-16. Nowhere does Call teach or suggest gathering and compiling legacy data or communicating the data structure, including the legacy data, to a mobile survey device and subsequently operating the survey device to survey the equipment assets. Call, therefore, fails to teach or suggest the invention of claim 2.

Thus, neither Scribner nor Call, alone or in combination, teach or suggest the invention of claim 2. That is, neither Scribner nor Call teach or suggest gathering and compiling legacy data or communicating the data structure, including the legacy data, to a mobile survey device and subsequently operating the survey device to survey the equipment assets.

Because claims 3-5 depend directly or indirectly from claim 2 and incorporate all the limitations of claim 1, the above arguments obviate the basis for these grounds of rejection. Thus, claims 3-5 are obvious over Scribner in view of Call. Reconsideration and withdrawal of the rejections are respectfully requested.

Claim 1 Is Not Unpatentable Over Scribner in View of Manzi

Claim 1, as amended, is directed to a system for collecting information relating to equipment comprising, in part, “a mobile survey device for receiving [a] specified data structure and [a] survey

process and . . . legacy data prior to performing a survey and for guiding a user in collecting the information.”

Scribner fails to teach or suggest the invention of claim 1. More specifically, Scribner fails to teach or suggest a mobile survey device for receiving a specified data structure and a survey process and legacy data prior to performing a survey. Instead, as discussed above, Scribner merely discloses mounting identification and location tags on or adjacent objects desired to be identified and then providing for those tags to be read by a portable unit. Nowhere does Scribner teach or suggest a mobile survey device for receiving a specified data structure and a survey process and legacy data prior to performing a survey. Thus, Scribner fails to teach or suggest the invention of claim 1. Reconsideration and withdrawal of the rejection are respectfully requested.

Manzi fails to remedy the deficiencies of Scribner. That is, Manzi fails to teach or suggest a mobile survey device for receiving a specified data structure and a survey process and legacy data prior to performing a survey. Instead, Manzi simply provides a “computer system and method for a lessor to determine correct use tax on moveable equipment which may be subject to tax by more than one tax authority.” *See Manzi*, Abstract. Nowhere does Manzi teach or suggest a mobile survey device for receiving a specified data structure and a survey process and legacy data prior to performing a survey. Manzi, therefore, fails to teach or suggest the invention of claim 1.

Thus, neither Scribner nor Manzi, alone or in combination, teach or suggest the invention of claim 1. That is, neither Scribner nor Call teach or suggest a mobile survey device for receiving a specified data structure and a survey process and legacy data prior to performing a survey. Reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

Applicants respectfully submit that claims 1-6 are in condition for allowance. Reconsideration and a Notice of Allowance for all pending claims is respectfully requested.

This response is being submitted on or before June 1, 2006, making this a timely response. It is believed that no additional fees are due in connection with this filing. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayments to Deposit Account No. 04-1420.

Respectfully submitted,

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